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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,588	11/24/2003	Christine Le Draoullec	245514US41X DIV	1222

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EXAMINER

GIBSON, ERIC M

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/718,588	Applicant(s) LE DRAOULLEC ET AL.	
	Examiner Eric M Gibson	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 12-14 is/are allowed.
- 6) ☒ Claim(s) 15-26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/073983.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 15-23, 25, 26, 28, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Rauch (US004635030A).

a. Per claim 15, Rauch teaches a method for monitoring a plurality of systems of an aircraft including monitoring the systems (column 2, lines 16-19), detecting at least one failure condition related to at least one of the systems (column 2, lines 20-21), and updating a status of at least one failure condition detected, wherein the updating step includes a step of deleting at least one failure condition (column 4, lines 24-34).

b. Per claim 16, Rauch teaches recalling a previously deleted failure condition (column 4, lines 35-37).

c. Per claim 17, Rauch teaches recalling all previously detected failure conditions (column 4, lines 47-49).

d. Per claim 18, Rauch teaches displaying information output by the monitoring step indicating a failure (column 2, lines 61-66) and inputting information indicating that a task has been completed (column 5, lines 29-33).

Art Unit: 3661

- e. Per claims 19-23, Rauch teaches a list of tasks to be performed to address a given failure condition (column 5, lines 16-28).
- f. Per claim 25, Rauch teaches selecting at least one failure condition and displaying a list of tasks corresponding to the selected failure condition (column 5, lines 16-28).
- g. Per claim 26, Rauch teaches recalling undone failure condition (column 4, lines 35-46).
- h. Per claim 28, Rauch teaches displaying a status of the systems of the aircraft (column 6, lines 29-37).
- i. Per claim 29, Rauch teaches displaying the failure conditions according to an order of priority (column 2, lines 65-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

Art Unit: 3661

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rauch in view of Lancki (US006097998A) and the Honeywell Primus Epic (Epic) avionics system (Al Ditter, An Epic in the Making, Commuter World, December 1996-January 1997, pages 16, 18-21; William B. Scott, Pentium Powers 'Epic' Integrated Avionics, Aviation Week & Space Technology, November 18, 1996, pages 67-69; James Holahan, LCDs, Mice on the Flight Deck!, Aviation International News, November 1, 1996, pages 56-58; Fred George, Introducing Primus Epic, Business & Commercial Aviation, November 1996, pages 116, 118-120).

a. Per claim 24, Rauch teaches the invention as explained in the rejection of claim 18. Rauch does not teach displaying the failure in the form of a block diagram. Lancki teaches a method and apparatus for graphically monitoring and displaying fault data, including a graphical representation of the monitored system (column 2, lines 64-66) in order to graphically display both the presence and location of faults and for selectively displaying textual fault information (column 3, lines 49-52). The graphical presentation taught by Lancki is a known alternative in the art that indicates the status of a fault using a graphical representation of the system, furthermore, the Epic System provides motivation to apply the graphical representation to the aviation art (see the Ditter article, p. 20, first ¶), therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the graphical representation of a system fault

Art Unit: 3661

in the system of Rauch, as an alternative graphical means of indicating a fault, as taught by Lancki.

Allowable Subject Matter

3. Claims 1-10 and 12-14 are allowed.

a. Per claims 1-10 and 12-14, independent claim 1 has been amended to incorporate the limitations of claim 11. Reasons for indicating the allowable subject matter of claim 11 were previously recited in a prior Office Action (mailed 12/2/2004).

4. Claim 27 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

a. Per claim 27, the prior art does not teach or reasonably suggest in combination the present invention including wherein the monitoring step includes the steps of manually informing the monitoring step about a failure that occurred and that was not detected by the monitoring step and instructing the displaying step to display a list of tasks corresponding to the failure that occurred and that was not detected by the monitoring step as claimed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


Art Unit: 3661

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (571) 272-6960. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL J. ZANELLI
PRIMARY EXAMINER